

REMARKS

Claims 13-23, as amended, are currently pending in this application. In this Response, certain claims have been amended. In particular, claims 13, 18, and 21 have been amended to clarify that the present invention generates search information in accordance with the content data from the content providing device and the types of content data in the content obtaining device. Moreover, claims 14, 19, and 22 have been amended to clarify that the content data includes at least one of a music title and an artist name.

In light of the Office Action, Applicants believe these amendments serve a useful clarification purpose, and are desirable for clarification purposes, independent of patentability. Accordingly, Applicants respectfully submit that the amendments do not limit the range of any permissible equivalents. As no new matter has been added, Applicants respectfully request entry of these amendments at this time.

THE REJECTIONS UNDER 35 U.S.C. § 112

At page 2 of the Office Action, the Examiner rejected claims 1, 18, and 21 under 35 U.S.C. § 112 as being indefinite for various reasons. Since claim 1 has previously been cancelled, Applicants assume that the Examiner meant to reject claims 13, 18, and 21. As shown above, however, Applicants have amended claims 13, 18, and 21 to provide the proper antecedent basis for the term “the content.” The Examiner also stated that the “controlling method” and “instructions for controlling,” recited in claims 13 and 21, were not accurate because the body of the claims never controls anything. In light of the claims amendments, however, Applicants submit that the Examiner’s rejections are moot. Reconsideration and withdrawal of the § 112 rejections is respectfully requested.

THE REJECTIONS UNDER 35 U.S.C. § 102

At pages 3-4 of the Office Action, the Examiner rejected claims 13-23 under 35 U.S.C. § 102 as being anticipated by U.S. Patent Application No. 2003/0018799 to Eyal (“Eyal”). For at least the reasons set forth below, Applicants submit that the Examiner’s rejections have been overcome.

Eyal discloses a playback system that locates and plays back streaming media from network resources. *See* Abstract. The playback system includes a search module that signals a

query to a network site, and in turn receives a search result. *Id.* The search result identifies one or more links that are selectable to open media files. *Id.* A media player couples to the search module to automatically play back streaming media contained in media files located by the search result. *Id.*

One embodiment of the present invention, for example according to amended claim 13, comprises a controlling method of a content obtaining device. The controlling method allows content data to be obtained from a content providing device. The method includes generating a search information in accordance with the content data from the content providing device and types of the content data in the content obtaining device. Then, new content information is sought in accordance with the search information. Finally, the new content information is displayed in accordance with a result of the searching.

As mentioned above, Eyal includes a search module to convert the search terms of a user query into a format for one or more search engines. *See* Para. 0023. Eyal does not, however, disclose or even suggest generating search information in accordance with the content data from the content providing device and the types of content data in the content obtaining device, as currently recited by amended independent claims 13, 18, and 21.

Because Eyal does not teach each and every element recited by the amended independent claims, Applicants submit that claims 13, 18, and 21 are in condition for allowance. Applicants further submit that claims 14-17, 19-20, and 22-23 are in condition for allowance at least by virtue of their dependency on claims 13, 18, and 21, but also for additional novel features recited therein. Reconsideration and allowance of the pending claims is therefore respectfully requested.

CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments and remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorneys to discuss any remaining issues.

A Petition for Extension of Time is submitted herewith to extend the time for response one month to and including July 21, 2007. No other fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Bingham McCutchen LLP Deposit Account No. 50-4047, Order No. 19546.0057.

Respectfully submitted,
BINGHAM MCCUTCHEN LLP

Dated: June 26, 2007

By: 

Siddhesh V. Pandit, Registration No. 58,572
BINGHAM MCCUTCHEN LLP
2020 K Street, NW
Washington, D.C. 20006
(202) 373-6513 Telephone
(202) 373-6001 Facsimile